

# Yadkin & Catawba Journal.

PRINTED AND PUBLISHED, BY LEMUEL BINGHAM, AT SALISBURY, ROWAN COUNTY, N. C.

VOL. I. NO. 39.—[New Series.]

TUESDAY, FEBRUARY 10, 1829.

WHOLE NO. 219. VOL. V.

TERMS....The Journal will be afforded to subscribers at \$3 a year, or \$2 50 in advance.

No paper will be discontinued, unless at the discretion of the editor, until all arrearages are paid.

Advertisements will be inserted at the usual rates. Persons sending in advertisements, are requested to note on the margin the number of insertions, or they will be continued until forbid and charged accordingly.

STATE OF NORTH-CAROLINA,  
ROWAN COUNTY.

In the Court of Equity, October Term, 1828.  
Philip Swortlander vs. William Stockstill.—Petition to perpetuate Testimony.

IT appearing to the satisfaction of the Court, that the defendant is not a resident of the State.—ORDERED, therefore, that publication be made three months in the Yadkin and Catawba Journal, to notify defendant that complainant will proceed, on the 3d Monday in February, 1829, to take the deposition of Edmund Etchison, *de bene esse*, before the Clerk and Master, at his office in Salisbury. It is further ordered, that unless defendant appear at the next term of this court in Salisbury, on the 2d Monday after the 4th Monday in March next, and plead, answer or demur, the bill will be taken pro confesso against him and decree final entered accordingly.

SAML. SILLIMAN, C. M. E.

Sm 141.

State of North-Carolina,  
MECKLENBURG COUNTY.

November Session, 1828.  
James Neely, Executor of Wm. Barnett, dec'd.—  
The Heirs at law of Wm. Barnett, dec'd.—  
Caveat to a will.

IT appearing to the satisfaction of the court, that the heirs of Wm. Barnett, Abraham Barnett, Samuel Barnett, Mary Elliott, Thomas Barnett, Ruth Porter, Elizabeth Spratt, James Barnett, Susanna Barnett, William McRee, Rachel Vance, Harriet Taylor, & Margaret Spratt, reside without the limits of the State: It is therefore ordered by the court, that publication be made six weeks in the Yadkin and Catawba Journal, that they appear at our next Court of Pleas and Quarter Sessions, held for Mecklenburg county, on the 4th Monday in February next, and then and there shew cause why a paper purporting to be the last will and testament of William Barnett, deceased, should not be admitted to probate.

ISAAC ALEXANDER, C. M. C.  
By Thos. B. SMARTT, D. C.

6129—pr. adv. \$3.

State of North-Carolina,  
IREDELL COUNTY.

SUPERIOR COURT OF LAW,  
Fall Term, 1828.

William Kerr vs. The heirs at Law of Andrew Neill, deceased, Scire facias to shew cause why the lands devised by the dec'd, should not be taken in Execution and sold to satisfy the plaintiff's judgment.

IT appearing to the satisfaction of the court, that James Donaldson and his wife Esther, William Kerr, James Kerr, Isabella Kerr, Margaret Kerr, Letitia Falls, William Allison and Rosanna, his wife, and Robert Allison, parties and defendants in this suit, are not inhabitants of this State: it is therefore Ordered, that publication be made in the Yadkin and Catawba Journal, printed in Salisbury, for six weeks, that the defendants appear at the next Superior Court of Law, to be held for the county of Iredell, at the Court-House in Statesville, on the 2d Monday after the 4th Monday in March next, to show cause why the lands descending to them as heirs at law of Andrew Neill, should not be subject to the judgment of the plaintiff. Test, JAMES CAMPBELL, Clk.

STRAY.

STRAYED from the subscriber, on the 27th or 28th of Dec., at the House of Jacob Leonard, Cabarrus county, a BAY MARE, with her colt, also bay, and with what is commonly called sway back. Any person finding and bringing said creatures to Messrs. Hayes Mills, or to Solomon Aronhardt, on Mallard Creek, shall be compensated and the favor thankfully acknowledged by ROBERT SIMMONS.

Jan. 1, 1829.—316r.

Wilkesboro' Academy.

THE subscriber finding it necessary to absent for a few months, has employed the Rev. Mr. Anderson, a graduate of one of the colleges of Pennsylvania, to take charge of the Academy, during his absence. Mr. Anderson is well qualified for the performance of the duties of an Instructor; and it is confidently hoped that the cheapness of board and tuition, combined with the well known local advantages of the situation, will secure to this Institution a full share of public patronage.

A. W. GAY, Principal.

Wilkesboro', Dec. 27, 1828.—316.

For Sale.

THE subscriber offers for sale his House and Lot on Main Street, in the town of Salisbury, at present occupied by Alexander Boyd. The payments will be made accommodating. Any person wishing to purchase, can apply to the subscriber, living in Salisbury.

S. L. FERRAND.

June, 24, 1828.—87f.

Notice,

THAT we, Peter Newton and Edward McGrath, have entered into co-partnership in the Mechanical Business of Plastering, Bricklaying Painting, &c.

December 13, 1828.—12f.

Fayetteville Paper Mill.

HIGHEST prices paid in CASH for RAGS, of all descriptions at the Paper Mill in Fayetteville, N. C.—OF.

Deeds for sale at this Office.

## The Wilkesboro' Hotel

IS now open and amply provided for the accommodation of visitors. Its local situation on the valley of the Yadkin, nearly central between the Blue Ridge and the Brushy mountains, is picturesque, healthful and inviting. Add to this, a pure and salubrious atmosphere, excellent water, the agreeable society of a pleasant village, spacious and commodious rooms, a chalybeate spring in the vicinity, and but little would seem wanting to insure the traveler a few weeks repose and enjoyment among the mountains.

The subscriber has been accustomed to this line of business in one of our northern cities; and he assures those disposed to favor him with a call, that no exertion shall be wanting, on his part, to render them comfortable.

The lines of stages from Salem to Knoxville, and from Cheraw to Wilkesboro', stop at the Hotel, affording an easy access to the above establishment. Fare, five cents per mile.—Way passengers six and a quarter cents.

G. V. MASSEY.

Wilkesboro', N. C. May 30, 1828.—84f.

## DISSOLUTION.

THE COPARTNERSHIP heretofore existing between THOMAS TROTTER & Co. was dissolved on the 15th instant, by mutual consent. Persons indebted to us will please call and settle their respective accounts, without delay, as we wish to close the concern as soon as possible.

Charlotte, Jan. 22, 1828.—66.

## TROTTER & HUNTINGTON,

## WATCH MAKERS AND JEWELLERS,

OF the late firm of THOMAS TROTTER & Co. have removed their establishment to the building opposite Mr. Jno. Sloan's new house, about 50 yards north of the court-house, where they are prepared to carry on the above business in all its various branches, with neatness and despatch. They have a handsome assortment of gold and silver Patent Levers, and good plain watches; Gentlemen's and Ladies' gold Chains, Seals and Keys; Pearl, Filigree and Paste Ear Rings, Breast Pins and Finger Rings, of handsome patterns; Silver Table and Tea Spoons, and various other articles in their line, which they will sell low for cash. No exertions will be spared, on their part, to give complete satisfaction to those who may favor them with their patronage.

Charlotte, N. C. Jan. 29, 1828.—66.

## Wilkesboro' Academy,

UNDER the care of the Rev. Mr. Anderson, is now in operation. The subscriber will receive a few young men as boarders. He promises that he will pay strict attention to the improvement of the youth intrusted to his care. Wilkesborough is situated in the mountains, in one of the most delightful climates in the world: those who wish to give their sons a healthy constitution, and have their minds improved, may now opportunity of doing so.

HORACE B. SATTERWHITE.

May 17, 1828.—82f.

## John F. Phifer's Estate.

THE subscriber having qualified as Administrator of the Estate of John F. Phifer, deceased, requests all persons indebted to said Estate, to come forward and make payment; and all those having claims against said Estate, to present them, within the time prescribed by law, or they will be barred of recovery.

## SALE OF PROPERTY.

He will offer for sale, at the late residence of the deceased, on Wednesday, the 18th day of February ensuing, and continue from day to day, until all is sold.

## Household and Kitchen Furniture,

among which is an excellent

## PIANO FORTE;

Farming Utensils, a quantity of Corn, Hay and Fodder, 20 or 30 Bales of Cotton, Horses, Cattle, &c. &c.

A credit of twelve months will be given, the purchasers giving bond and approved security.

He will also hire, at the same time, until the 25th of December next, a number of valuable Negroes.

ROBERT MCKENZIE, Adm'r.

January 22, 1829.—319.

## Notice.

ON Friday, the 13th of next month, in the town of Concord, I will sell the tract of land on which Jas. Gardner now lives, containing about two hundred and sixteen acres. The Land will be sold by virtue of a Deed of Trust. A credit of twelve months will be given, the purchaser giving bond and security.

W. M. ALEXANDER.

January 22, 1829.—319.

## NOTICE.

THE subscriber having associated himself as a partner in trade with Messrs. Horton & Hutton, of Fayetteville, his business, in future, will be conducted under the firm of

## A. TORRENCE & CO.

in Salisbury, and in Fayetteville, under the firm of HORTON, HUTTON & CO.

A. TORRENCE.

January 12, 1829.—16.

## TRUST SALE.

BY virtue of a Deed of Trust, executed to me by Robert Cook, of Mecklenburg county, for purposes therein expressed, I shall proceed to sell to the highest bidder, for CASH, on Saturday, the 21st of February next, at the house of said Cook, three valuable young NEAR-GOES. Sale to commence at 12 o'clock.

JAS. DINKINS.

January 26, 1829.—310.

## Deeds for sale at this Office.

From the National Intelligencer.

## LETTERS OF MR. MADISON.

The history of these two Letters which we are about to publish is briefly as follows:

These Letters were not originally written for the Press, but are now authorized to be published, on the earnest representations of some of the friends of Mr. Madison, to whom the publication appeared to be of great interest, and of deep importance to the Nation.

In the present state of our country these papers cannot but be highly acceptable to the public. The opinions of the distinguished author, one of the framers of the Constitution, if not the father of it, cannot but carry with them great weight. They are of the greater authority, from his having been appealed to by those which sustain doctrines opposite to those which he avows and defends. He stands, in this respect, as the arbiter between contending parties; and it is hoped that his lucid expositions will go far to convince many who have heretofore seriously questioned the power of Congress which he maintains.

In the calm philosophy of his retirement from the turmoil of the world, the judgment which he has deliberately formed, and now argumentatively sustains, cannot be suspected of being influenced by any political bias or casual excitement. His is the wisdom of age—the fruit of experience, plucked from the tree of knowledge.

## LETTER I.

MONTPELIER, SEPT. 18, 1828.

Dear Sir:—Your late letter reminds me of our conversation on the constitutionality of the power of Congress to impose a tariff for the encouragement of manufactures; and of my promise to sketch the grounds of the confident opinion I had expressed, that it was among the powers vested in that body. I had not forgotten my promise, and had even begun the task of fulfilling it; but frequent interruptions, from other causes, being followed by a bilious indisposition, I have not been able soon to comply with your request. The subjoined view of the subject might have been advantageously expanded; but I leave that improvement to your own reflections and researches.

The Constitution vests in Congress, expressly, "the power to lay and collect taxes, duties, imposts, and excises;" and to give complete satisfaction to those who may favor them with their patronage.

Charlotte, N. C. Jan. 29, 1828.—66.

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medies were needed, the very best keys to the true object and meaning of all laws and constitutions.

And may it not be fairly left to the unbiased judgment of all men of experience and of intelligence, to decide, which is most to be relied on for a sound and safe test of the meaning of a Constitution, a uniform interpretation by all the successive authorities under it, commencing with its birth, and continued for a long period, through the varied state of political contests; or the opinion of every new Legislature, heated as it may be by the strife of parties—or warped, as often happens, by the eager pursuit of some favourite object—or carried away, possibly, by the powerful eloquence or captivating address of a few popular statesmen, themselves, perhaps, influenced by the same misleading causes? If the latter test is to prevail, every new legislative opinion might make a new Constitution, as the foot of every new Chancellor would make a new standard of measure.

It is seen, with no little surprise, that an attempt has been made, in a highly respectable quarter, and at length reduced to a resolution, formally proposed in Congress, to substitute, for the power of

Congress to regulate trade so as to encourage manufactures, a power in the several States to do so, with the consent of that body; and this expedient is derived from a clause in the tenth section of article first of the Constitution, which says:

"No State shall, without the consent of Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties, and imposts, laid by any State on imports and exports, shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and controul of the Congress."

To say nothing of the clear indications in the Journal of the Convention of 1787, that the clause was intended merely to provide for expenses incurred by particular States, in their inspection laws, and in such improvements as they might choose to make in their harbours and rivers, with the sanction of Congress—objects to which the reserved power has been applied, in several instances, at the request of Virginia and Georgia—how could it ever be imagined that any State would wish to tax its own trade for the encouragement of manufactures, if possessed of the authority, or could, in fact, do so, if wishing it?

A tax on imports would be a tax on its own consumption; and the net proceeds going, according to the clause, not into its own Treasury, but into the Treasury of the United States, the State would tax itself separately for the equal gain of all the other States; and as far as the manufacturers, so encouraged, might succeed in ultimately increasing the stock in market, and lowering the price by competition, this advantage, also, procured at the sole expense of the State, would be common to all the others.

But the very suggestion of such an expedient to any State, would have an air of mockery, when its *experience* impracticability is taken into view. No one, who recollects or recurs to the period when the power over commerce was in the individual States, and separate attempts were made to tax, or otherwise regulate it, need be told that the attempts were not only abortive, but by demonstrating the necessity of general and uniform regulations, gave the original impulse to the constitutional reform which provided for such regulations.

To refer a State, therefore, to the exercise of a power, as reserved to her by the Constitution, the impossibility of exercising which was an inducement to adopt the Constitution, is, of all remedial devices, the last that ought to be brought forward. And what renders it the more extraordinary, is, that, as the tax on commerce, as far as it could be separately collected, instead of belonging to the Treasury of the State, as previous to the Constitution, would be a tribute to the United States, the State would be in a worse condition, after the adoption of the Constitution, than before, in reference to an important interest, the improvement of which was a particular object in adopting the Constitution.

Were Congress to make the proposed declaration of consent to state tariffs in favour of State manufactures, and the permitted attempts did not defeat themselves, what would be the situation of States deriving their foreign supplies through the ports of other States? It is evident that they might be compelled to pay, in their consumption of particular articles imported, a tax for the common treasury, not common to all the States, without having any manufacture or product of their own, to partake of the contemplated benefit.

Of the impracticability of separate regulations of trade, and the resulting necessity of general regulations, no State was more sensible than Virginia. She was accordingly among the most earnest for granting to Congress a power adequate to the object. On more occasions than one, in the proceedings of her Legislative councils, it was recited "that the relative situation of the States had been found, on trial, to require uniformity in their commercial regulations as the only effectual policy for obtaining in the ports

of foreign nations a stipulation of privileges reciprocal to those enjoyed by the subjects of such nations in the ports of the United States; for preventing animosities which cannot fail to arise among the several States from the interference of partial and separate regulations; and for deriving from commerce such aids to the public revenue as it ought to contribute, &c."

During the delays and discouragements experienced in the attempts to interest Congress with the necessary powers, the State of Virginia made various trials of what could be done by her individual laws. She ventured on duties and imposts as a source of revenue: Resolutions were passed at one time to encourage and protect her own navigation and ship building; and in consequence of complaints and petitions from Norfolk, Alexandria, and other places, against the monopolizing navigation laws of Great Britain, particularly in the trade between the United States and the British West Indies, she deliberated, with a purpose controlled only by the inefficacy of separate measures, on the experiment of forcing a reciprocity by prohibitory regulations of her own. [See Journal of House of Delegates in 1786.]

The effect of her separate attempts to raise revenue by duties, on imports, soon appeared in representations from her merchants, that the commerce of the State was banished by them into other channels, especially of Maryland, where imports were less burdened than in Virginia. [See Do. for 1786.]

Such a tendency of separate regulations was indeed too manifest to escape anticipation. Among the projects prompted by the want of a Federal authority over commerce, was that of a concert first proposed on the part of Maryland for a uniformity of regulations between the two States, and Commissioners were appointed for that purpose. It was soon perceived, however, that the concurrence of Pennsylvania was as necessary to Maryland as of Maryland to Virginia, and the concurrence of Pennsylvania was accordingly invited. But Pennsylvania could no more concur without New York than Maryland without Pennsylvania, nor New York without the concurrence of Boston.

These projects were superseded for the moment by that of the Convention at Annapolis in 1786, and forever by the Convention at Philadelphia in 1787, and the Constitution which was the fruit of it. There is a passage in Mr. Necker's work on the finances of France which affords a signal illustration of the difficulty of collecting, in contiguous communities, indirect taxes, when not the same in all, by the violent means resorted to against smuggling from one to another of them. Previous to the late Revolutionary war in that country, the taxes were of very different rates in the different Provinces, particularly the tax on salt, which was high in the interior provinces and low in the maritime, and the tax on tobacco, which was very high in general, whilst in some of the provinces the use of the article was altogether free. The consequence was, that the standing army of patrols against smuggling had swelled to the number of twenty three thousand; the annual arrest of men, women, and children, engaged in smuggling, to five thousand five hundred and fifty; and the number annually arrested on account of salt and tobacco alone, to seventeen or eighteen hundred, more than three hundred of whom were consigned to the terrible punishment of the Gallies.

May it not be regarded as among the providential blessings to these States, that their geographical relations, multiplied as they will be by artificial channels of intercourse, give such additional force to the many obligations to cherish that union which alone secures their peace, their safety, and their prosperity! Apart from the more obvious and awful consequences of their entire separation into independent sovereignties, it is worthy of special consideration, that, divided from each other as they must be by narrow waters and territorial lines merely, the facility of surreptitious introductions of contraband articles, would defeat every attempt at revenue in the easy and indirect modes of impost and excise; so that whilst their expenditures would be necessarily and vastly increased by their new situation, they would, in providing for them, be limited to direct taxes on land or other property, to arbitrary assessments on invisible funds, and to the odious tax on persons.

You will observe that I have confined myself, in what has been said, to the constitutionality and expediency of the power in Congress to encourage domestic products by regulations of commerce. In the exercise of the power, they are responsible to their constituents; whose right and duty it is, in that as in all other cases, to bring their measures to the test of justice and of the general good.

With great esteem and cordial regard,  
JAMES MADISON,  
Jos. C. CABELL, Esq.

*A fast for Intemperance.*—The Synod of the Reformed Dutch Church, and the General Assembly of the Presbyterian Church, recommended the observance of the 4th Thursday of January, past, as a day of fasting, humiliation and prayer, in reference to the sin of intemperance.

## CONGRESS.

*House of Representatives, Jan. 23.*

The following joint resolution, reported by Mr. WICKLIFFE on Tuesday, from the Committee on Retrenchment, was taken up.

*Resolved by the Senate and House of Representatives of the United States in Congress assembled,* That the Secretary of the Senate and clerk of the House of Representatives, shall prohibit the use of the stationery of the two Houses in folding or enclosing any documents, pamphlets or packages, other than such as may have been printed by order of either House of Congress, or such manuscript documents as may relate to the business of the same.

Mr. WICKLIFFE asked for the reading of the amount of stationery consumed last year. The statement having been read, Mr. Wickliffe explained that the resolution prohibits the use of stationery for his purposes.

The hour having expired—

Mr. WEEMS moved to suspend the rule, which was decided in the negative.—Ayes 69, Noses 76.

## PUBLIC STATIONERY.

*Saturday, January 24*—The House resumed the consideration of the joint resolution, reported by Mr. WICKLIFFE, from the Committee on Retrenchment.

Mr. VANCE moved to amend the resolution, by striking out all after the word "That," and inserting the following words:

"From and after the passage of this resolution, no stationery shall be furnished to members of Congress at the public expense."

The question being on the motion of Mr. CAMBRELENG indefinitely to postpone the resolution, on which the ayes and noses were ordered.

Mr. WICKLIFFE said that he had intended to go more into detail this morning; but, understanding from the Chairman of the Committee on Retrenchment that he had a bill in preparation which would embrace the objects contained in this resolution, he should forbear from saying what he had proposed at the present time. He took the opportunity to say that he would not, for any view, personal or political, lend himself to any measure which would obstruct the fair administration of the government. He therefore would oppose the amendment of the gentleman from Ohio.

Mr. CAMBRELENG, in order to afford the Chairman of the Committee on Retrenchment an opportunity to move to lay the resolution on the table, withdrew his motion of indefinite postponement.

Mr. HAMILTON moved to lay the resolution on the table. He stated that the Committee had this morning concluded to embrace the subject of this resolution in the bill which would be reported in the course of a few days on the subject of the contingent expenses of the House. He withdrew his motion.

Mr. VANCE said there had been a great deal of noise about reform and retrenchment. We have had three bills, and a resolution. He was not aware that he should be more competent to point out objects worthy of the operation of the Committee, than those who are members of the Committee. But he thought that other objects might be found. We might, for example, take off 5000 dollars a year from the salary of the President. We might, Sir, take off your extra pay and make other reductions in relation to this House. He was not going into the discussion of this matter, but he was perfectly willing to meet the subject now. He was willing to furnish his own stationery. It would not, at this session, have cost him six dollars, and yet he should have been able to furnish all the information which his constituents could desire.

Mr. LONG made a few remarks against the unnecessary postponement of this subject. If it should be postponed for a few days longer, it could produce no effect upon the present Congress. There would have been even some saving to the country, if the resolution had been passed yesterday. The gentleman from Kentucky had yesterday given an account of the numbers which had been printed and folded of the Richmond Address, the North Carolina Address, and the Washington and Pennsylvania Address. This statement had been printed, and had gone forth, no doubt as it was intended, to produce its effect upon the public. He thought it would have been better had the gentleman continued his exposition, and stated the numbers of the Telegraph extra, which had been, in the same mode, transmitted to all parts of the country.

The question being on the motion to lay the resolution on the table.

Mr. VANCE asked for the ayes and noses on this question; and a sufficient number rising to sustain the call, the ayes and noses were ordered.

The motion to lay on the table was then carried in the affirmative.

A bee was sometime since liberated from the aperture of a stone in an old house which was taking down in England, which had, it is said, lived there 500 years. There was no opening to get in and out, and the place of its prison was about the size of a pear, into which no air could penetrate. When taken out, it was lively, but soon after died.

## FOREIGN.

The Caledonian packet ship from Liverpool, whence she sailed on the 5th ult., brings London papers a day or two later than those received by the Columbia. A rumor, apparently of some credibility, was circulating that overtures had been made to Mr. Huskisson for a return to the Ministry. Another rumor of the death of Don Miguel was also prevalent; but that seems to have been received in London very circuitously.

The Liverpool Mercury of Dec. 5, publishes a note from a correspondent, dated the day previous at half past 7 o'clock as follows:—"Some of the papers persist in stating that a negotiation has been pending for the return of Mr. Huskisson to the cabinet. I can state to you upon authority, which is unquestionable, that indirect, if not direct, overtures have been made to that gentleman, at the suggestion of Mr. Peel. This is a fact. What else has been stated of his having refused to go back unless Earl Dudley and Messrs. Grant and Wayne are reinstated may be true, (and indeed personal friends of Mr. Huskisson countenance the rumor,) but of this I have heard nothing positive."

The report of the death of Don Miguel has been transmitted us by our Plymouth correspondent. He informs us "that it was brought by a vessel, which arrived at Looe on Sunday, in 5 days from Figueira, with three Portuguese passengers, who state, that shortly before their sailing, a letter, announcing the death of Don Miguel, was received by an English merchant at Figueira." Government have not received any intelligence of such an event—nor have the Portuguese and Brazilian ministers. We can only pledge ourselves for having received the report from our own correspondent. Figueira is a town near the mouth of the Mondego—it is half way between Lisbon and Oporto. If the vessel came from Figueira in five days, she must have left it on the 25th November and consequently have brought the latest accounts from Lisbon. Those which arrived on Sunday were not later than the 21st—and they stated "that the 23d and 24th of the month were looked for with anxiety, because they were the 14, & 15th days, when a crisis was expected to take place."

*London Courier.*

Since the fall of Varna, the exertions of the Porte have been redoubled; 30,000 additional men have been furnished by the capital, and troops were arriving daily from Asia. Another division of Russian prisoners had arrived and also 30 wagons loaded with standards, arms, uniforms, &c. taken in the latter actions before Varna which were favorable to the Turks. Several ships had also arrived from the Black Sea with provisions, &c. corn excepted.

*Health of the King.*—The London Times says that the King is in a very precarious state of health. The Morning Journal says—"The King's health is better, but accounts state that the remedies had recourse to have so reduced him, that he has diminished in weight a full fourth, and that although no immediate danger is apprehended, the state of his health is not what could be wished. The weakness of his legs is not so great as it was; and the mechanical means of support, invented for the use of his Majesty, is said to be successfully applied."

The same paper of Nov. 11th says—"The hopes which we were led to indulge of his Majesty being enabled to visit town, in order to hold Council and receive the Recorder's report, are for the present disappointed. This we state with deep regret, both as concerns the health of his Majesty, and the fate of the long list of unfortunate persons who struggle with the mental anxiety of life or death in Newgate. His Majesty, it is said, had a fresh attack of cold on Saturday and Sunday, which prevented him from leaving his apartment. The truth is—and the truth ought not to be concealed any longer—it is absolutely necessary that bulletins of his Majesty's health should be published. We further regret to add that His Royal Highness the Duke of Clarence is in a very deplorable and perilous state.—He is subject to spasmodic attacks, which are increasing in their severity and the danger that accompanies them.

*From a London paper.*

*Scotland.*—The letters from Glasgow speak of a great Commercial convulsion in that city. Yesterday's letters announced four failures—to-day six more are mentioned, some of them of the first consideration. The calamity is stated to have arisen from the overtrading to India. Fears are expressed by the timid that the panic is not likely soon to be ended, and that as far Glasgow is concerned, the effects will be equal to those of the panic of 1815.

*Liverpool, (Eng.) Dec. 1.*

*Sierra Leone—Death of Gov. Lumley.*—Another victim, another Governor, and general of his suite, have perished in that infamous swamp of pestilence and iniquity. We have before us a letter dated Sierra Leone, the 19th August. Lieutenant Governor Lumley is dead, so is Ensign Gordon of his staff, and the Governor's white sergeant is not expected to recover. The Governor and his whole staff were struck down by the pes-

silence at one fell swoop. Brigade Major Frazier and Lieutenant McLean have recovered. A relation of the late Granville Sharpe's had come out as Paymaster; horror struck at what he saw, and trembling for his life, he, in two days after landing, insisted on being sent back to England. Dr. Clark, and Dr. Foulis are both laid up. The mortality, even amongst the black inhabitants, says the letter, is "frightful." The burial grounds are evening and morning filled with victims. Need we add more? We have not revealed all the horrors; but amidst death we cannot dwell upon iniquity.

#### LATEST FROM ENGLAND.

New York, Jan. 26.—By the packet ship John Jay, Holdredge, from Liverpool, we have our files of London papers and Lloyd's Lists to the 14th of December, and Liverpool of the 16th, the day the packet sailed.

#### RETREAT OF THE RUSSIANS.

The news from the seat of war is, that the sieges of Choumla and Silistria had been raised, and that the Russian armies were making a most disastrous retreat across the Danube. "Their retreat," says the *Messenger des Chambres*, "is impeded by the inclemency of a most rigorous season, and all sorts of unfavorable accounts are invented and published repeating them."

From the Liverpool Advertiser, of Dec. 16.

The retreat of the corps of the Russians engaged in the siege of Silistria is confirmed, and letters from Vienna and Odessa state that the whole army is falling back on Jassy, where it is to pass the winter. If the latter part of this intelligence should prove correct, the failure of the Russians in the recent campaign must have been most signal. To fix their winter quarters at Jassy, will, as we observed last week, be equivalent to an abandonment of every thing that they have gained during the past campaign, and will compel them to commence the war completely anew in the spring of next year. Should the main army have really fallen back, it is extremely probable that Varna will be re-taken by the Turks, as the shattered state of its fortifications will prevent its making any very protracted defence. The reduction of this fortress is the only achievement of any importance performed by the Russians during the last campaign, and its re-capture will do more to discourage them than its capture did to discourage the Turks. If Varna should be lost by the Russians, they will retain nothing but a few unimportant fortresses on the banks of the Danube, the possession of which will prudently no effect on the result of the war.

The cause assigned for the abandonment of the siege of Silistria and the retreat of the Russians, is the inclemency of the season. It is doubtless a difficult thing to carry on active operations in the winter; but the experience of the last century shows that was may be carried on in that season, in much severer climates than that of Bulgaria. In the winter of 1807, Dantzig, which, as every one knows, is situated in a climate many degrees colder than Silistria, was besieged and taken by the French. This induces us to doubt whether the coldness of the season is the real, or at all events the principal cause of the retreat of the Russians. It has doubtless exercised some influence, but we should think that the difficulty of obtaining supplies has exercised much more. During the rainy season, the roads, which are never very good, and which are not formed to bear wheeled carriages, become absolutely impassable, and as the country at that time supplies neither provisions nor forage, the difficulty of supporting an army must be very great. This is a circumstance which will always be felt, and which will at all times render the conquest and permanent occupation of Turkey a matter of extreme difficulty. The further Russia advances, the greater will be the difficulty of maintaining themselves. It is to this that the Turkish power owes its continuance, and by this it may not improbably be saved from the danger by which it is now menaced.

**Bad Pancakes.**—At Pittsburg, a man named Pancake, killed his wife, by striking her on the head with a hatchet. The deed was done in a house of ill fame, which she frequented. Well might Touchstone say, "The Pancakes were naught."

A Dwarf, said to be a native of Mexico, only 32 inches high, and 51 years of age, is exhibiting at 50 cents a sight in Augusta. Amongst his performances are dancing, sword and gun exercise, &c.

**Manufactories in Massachusetts.**—There are 235 incorporated manufactories in this State. A large proportion of them manufacture cotton, wool and iron; besides these there are incorporated companies for the manufacture of glass, hats, leather, wire, files, lead, duck, pins, soap-stone, cordage, salt, calico, copper, lace, umbrellas, linen, hose, ale and beer, type, cotton gins, cards, glass bottles, paper, lead pipe, &c. The oldest incorporation is in 1794, of a woollen manufactory in Newburyport.

The united ages of two of the members of the New Jersey House of Assembly amount to 157 years.

## The Journal.

### SALISBURY:

TUESDAY, FEBRUARY 10, 1829.

*New Post-Office.*—A Post-Office has been established at Thomas's Ferry, Iredell county, and Mr. Lewis W. Thomas appointed Postmaster.

We published, in our last, a communication on the subject of the Banks; we give another this week, of a different character. Its language may be considered by many as too severe; yet the writer is fully convinced, that severe as some may think it, is not more so than facts fully warrant. Of this, however, the people, are long, will be competent to judge; as the conduct of the Banks, and particularly of the State Bank, will be thoroughly examined in the course of the ensuing summer, and all the facts necessary to form a right judgment, be laid before the public.

#### FOR THE YADKIN AND CATAWBA JOURNAL.

The Legislature of the State has adjourned, contrary to general expectation, without doing any thing respecting the Banks, either to bring those guilty institutions to justice, or to arrest the harsh and unfeeling measures of the State Bank. Was this well done? For one, I say, honor and re-election to that portion of the Legislature who stood firm as the friends of the people and the law,—but distrust and refection to those who shrank from their duty on that important occasion.

As the Legislature has broke up, and left the people to the mercy of the merciless, seriously does it behove them to look well into the matter. During the coming summer, much havoc will be committed by the corporate tyrants of the State; but let the people be of good cheer; let them prove true to themselves, and the day of retribution is near at hand. The gallows which the rich and haughty Haman erected for the offending Israelite, was the instrument of Haman's own destruction;—the measures adopted by the Nabobs at Raleigh to ruin the State, like Haman's gallows, will at last accomplish the ends of justice;—they will arouse the sleeping lion in his lair, and woe betide the wretches that have awakened his fury.

History teaches us, that in all popular governments there is a constant struggle going on between the people on the one hand and the spirits of aristocracy on the other. The struggle is mostly imperceptible to common observation, as it is always disguised under various forms; but ever and anon it breaks out into open contest. If in these contests the people can be sufficiently aroused to see their dangers, their triumph is certain, and the cause of liberty stands reassured; but should the day arrive when the people have become so drugged by the opiates of subtle aristocracy, as not to take the alarm, then the knell of liberty may toll, the genius of freedom will take her departure and Lords will soon drive in their gilded chariots, where freemen now walk.

Such is the struggle now commenced in North Carolina.

By arts the most designing, the legislature and the people of the State, for the past ten years, have been held under the spell-bound influence of the banks; and particularly of that bank misnamed—the State Bank. So great has been this influence, that when a few years since the Governor of the State had the firmness to call their conduct in question, the Directors at Raleigh boldly stepped out and hurled the gauntlet of defiance at the Governor and the Legislature; and all the newspapers in the State sung out—"long live the king." The number of stockholders in the State Bank we have seen elsewhere stated to be 495; and of these, it may be said, that at least two-thirds have been ignorant of the proceedings, and innocent of the practices of the Bank. The other one-third say 150 stockholders, owning more than one million dollars worth of stock are the men who managed, directed and controlled the affairs of that institution. These compose the real aristocracy of the land; and of all aristocracies, the most dangerous is a monied aristocracy. Mammon is their God—self-interest their polar star. These are the men who are now at work to ruin the State; and the contest is with them. Nothing should be done, nothing will be done to affect the innocent; but let the unrighteous Felix tremble in the seat of power.

These Lordly stockholders, dividing a million among 150 of themselves, have been so long reaping a rich harvest of gains out of the people of North-Carolina, that they are now dissatisfied with moderate profits. Times are changed, and they can no longer divide 8 per cent., with occasionally bonuses of 10 to 35 per cent.; and they have come to the conclusion to call in their debts without any regard to the condition of the community, but only looking to their own sordid interest. Let us wind up, say they, at once; let us call in our debts and get the money into our own hands;—we can make more than 5 per cent. out of it by shaving notes and by buying up property at sheriff sales. But, says a whispering spirit, "the people!—you will ruin the people." Mammon answers—"What are the people to us!—we must look to our own interest." It is better that the people should suffer; it is better that the poor man, with his wife and his helpless children, should be turned out of doors; it is better that we should swell the tide of emigration to the west;—than that we should get only 5 per cent. on our money! Therefore, let us call in our debts, and get the capital into our own hands.

People of North-Carolina! never have the times gone by, since you have been a people, that called more loudly than the present for you to be up and doing. The enemy is in the field,—not the open foe, that meets you on the beach, and risks his life for victory; but the secret enemy of your rights, who plots in darkness—who comes like the thief at night—who has already made a lodgement in your castles and homesteads;—this is the enemy that you must grapple, or he will grapple you. You will see him at the polls in August next; meet him there, and put him down. No pains will be spared by the Banks to bring into the next legislature men that will advocate their cause

\* This is the oft repeated answer of the late President of the State Bank; and the present incumbent seems to be a worthy successor; for the first act of his "Administration" plainly speaks the language of Shylock the Jew:—give me the pound of flesh, said the Jew;—give us our money—pay us up in ten equal instalments, says the new President.

and defend their conduct; let the people, then, require of every man who is a candidate, a declaration of his sentiments; let them vote for men who will do something to protect their rights; who will preserve the rights of the innocent stockholders, but will bring to justice the guilty agents. It is not enough that they should be exposed;—the honor and character of the State require that they should be punished. When in the City of New-York frauds were detected in the agents of the chemical bank, they were prosecuted, convicted and put in the State-prison:—why should the agents of similar frauds in the State Bank escape with impunity?

This is plain language, but the times require it;—and why, Mr. Editor, I would ask, do you and the other Editors in the State sleep on your posts? Are the watchmen asleep in the watch-tower?—or are they, like thousands of others, under the influence of the banks? If they sleep, the writer hereof will try occasionally to disturb their slumbers.

#### ONE OF THE PEOPLE.

We publish this week Mr. Madison's first letter on the constitutionality of a protecting Tariff. We hope this letter, as well as the 2d, which we shall give in our next, will be carefully read by all, and particularly by such of our readers as may have any doubts on the subject; for the opinion of no man, on a constitutional question, is entitled to more weight than Mr. Madison's. But in this case, we have not merely the opinion of Mr. Madison, but the reasons by which he sustains it; and to our mind they are conclusive.

**Russians and Turks.**—The latest accounts from the seat war state that the Russian forces were in full retreat. The only achievement, of consequence, performed by the Russians during the campaign, was the capture of Varna, after great loss; and it was expected they would not be able to hold even that. So on the whole, the campaign has been eminently unfortunate to the Russian autocrat, and his ultimate success rendered extremely doubtful.

**Brevet Rank.**—The committee of the House of Representatives, to whom the memorial of Gen. Scott was committed, have made a report adverse to the claim of this distinguished officer.

In the closing paragraph of their report, they give it as their opinion, "that without any interference of the Executive, the regular army of the Union would, at this time, be subject to the command of Maj. Gen. Macomb, he being the officer highest in rank in the line of the army; and even were this questionable, the committee entertain no doubt of his being entitled to that command, having been specially appointed to it by the President of the United States, under the authority conferred upon him in the 62d of the Rules and Articles of War." Gen. Scott must now submit to the command of Gen. Macomb, or leave the army; and we sincerely hope he will choose the former.

As an accomplished and gallant officer, he has deserved well of his country, and she has not been ungrateful to him: we trust he will now cheerfully submit, as it becomes him to do, when he finds that both Houses of Congress sustain the President in his decision. Should he not, his conduct may be attributed to motives unworthy of his distinguished character.

A bill for organizing a Convention to amend the constitution, has at last passed the House of Delegates of Virginia. The bill is not such as the friends of a Convention desired; yet it is better than the one their enemies intended to give them. According to the bill, there will be 76 counties and four boroughs, having one representative each; 23 having two; 3 having three; and 3 having four. This is better than an equal representation of the counties; yet it will still appear, give the small counties a majority in the Convention, and enable them to control its proceedings.

The Senate of the United States refused by a vote 21 to 17, on Tuesday last, to go into Executive business for the purpose, as was supposed, of acting on the nomination of Mr. Crittenden. It seems apparent, that it is intended to postpone the consideration of the nominations made by Mr. Adams until after the 4th of March.

Register.

Mr. Rush is so much indisposed that the President has authorized the Secretary of the Navy to perform the duties of Secretary of the Treasury, during Mr. Rush's illness.

**Richmond Fair.**—The Ladies of the City of Richmond have lately got up a splendid Fair for the benefit of the Female Benevolent Association of that place, consisting chiefly of Fancy Articles of their own making, for which they received Three Thousand two Hundred Dollars. It is said to have been unequalled by any similar exhibition in any City of its size in the Union. The Ladies were greatly aided by the beneficence of the Members of the General Assembly at present in session there.

From the Baltimore American.

**Afflicting.**—We understand that a most distressing accident occurred in this city, a few days ago, in the following manner. Two victuallers, one of them a colored man, were employed in a private family in cutting up pork. The weather being cold, a wine glass of spirits was given to each, the drinking of which was soon succeeded by the most dreadful and, finally, fatal consequences. It appeared

that a bottle containing corrosive sublimate dissolved in spirits, had been used for one known to contain pure spirits, and the mistake was only discovered when human relief was unavailable.

#### SURVIVING OFFICERS.

The Washington correspondent of the New York Commercial Advertiser, has furnished that print with a list of all the Field Officers of the Revolutionary Army who have applied for and received their pay under the act of the last session of Congress. There appears to be now only 26 of them living; of that number, there are but 5 Colonels, 3 Lieutenant Colonels, and 18 Majors.

#### Prevention of Forgery.

An invention has been made, by Messrs James Atwater and N. & S. S. Jocelyn, at New Haven of a method for preventing impositions on the public by the counterfeiting and altering of bank notes, drafts, bills of exchange, post notes, notes of hand, &c. It has been carefully examined by both scientific and practical gentlemen, and we are informed by Professor Silliman, in his Journal of Science and Arts, has met with their approbation. Professor S. speaks of it in high terms, & recommends it to the Directors of Banks, and to merchants and others.

**The Infernal Trade.**—It is thought about 80,000 slaves are annually imported into Brazil, and as about one third die, or are murdered on the passage, the whole amount of the export from Africa for this market must amount to 120,000. "God is just."

Niles.

Capt Geo H. Richards has started a project at Washington, for forming a company to purchase and cultivate land in Greece. He is lately from that country. A letter from Dr. Howe approving the plan has been published.

Elsie Whipple, whose husband was shot in Albany two or three years since by Strang, her paramour, and who came near being hung with him, was recently married in New Brunswick, N. J. to a Mr. Nathaniel Freeman. They were once school-mates in that place.

Among the deaths in Baltimore last year there were twelve from intemperance and ten from drinking cold water. This is a damper.

**TIT FOR TAT.**—The passengers on board an Aberdeen smack were most grievously annoyed by the nocturnal visitation of myriads of hungry bugs. These little blood-suckers were so incessant in their attacks, that to close an eye was utterly out of the question; nay, so severely did some suffer, that in the morning, when all hands were mustered in the cabin, their physiognomies were to be recognised with considerable difficulty! One night the agonies became so intolerable, that they bellowed out to the master of the vessel, "O, master! they're biting us!" "What the devil's biting us?" cries the master. "O, sir, the bugs!" The response of the master, if not consolatory was admirably laconic— "Well, carefull ye, canna ye bite them again?"

London Literary Gazette.

The following short and pithy address is from the Editor of the Trenton, N. J. Emporium, to his patrons on the 1st of Jan. 1829 :

"We tender the compliments of the season to our kind patrons—wishing them all,

Masters and Misses, and Husbands and Wives,

Industrious, fortunate, virtuous lives;

May your sky be serene, many Summers and Winters,

And once every year may you THINK OF THE PRINTERS.

#### CHARLOTTE FEMALE ACADEMY.

THE examination will commence on the 27th and close on the evening of the 28th, when the present session will have ended. The attendance of the friends of literature is respectfully requested. The exercises will be resumed on Monday, the 2d of March and continued until the 1st of August.

BENJAMIN COTTRELL, Principal.

#### DIED.

On Thursday evening last, at his residence in this vicinity, the Honorable JOHN LOUIS TAXON, Chief Justice of the Supreme Court in this State, in the 59th year of his age.

The lamented deceased was a native of Ireland, but came to this country in his boyhood, studied law in this State, became a successful practitioner, and at the age of 28 years was appointed a Judge on the Bench of our Superior Court. Whilst at the Bar, Mr. Taylor was one of its most distinguished members, possessing talents of the first order and gifted with a most impressive elocution.

By the act regulating the Supreme Court of this State, passed in 1810, which authorized the six Judges to appoint one of their number, Chief Justice, he was honored with that distinction; and when in the year 1818, the Supreme Court was newly organized and made to consist of but three Judges, the deceased was again elected one of them, and again placed at their head, which high office he filled to the day of his death. Indeed he was presiding in the Supreme Court, on Thursday, the 23d ult. when he was seized with the malady which terminated his existence on that day week.

Judge Taylor was not only a distinguished Jurist—his mind was deeply imbued with that degree of refinement, which a long and familiar acquaintance with belles lettres only can confer, and which on suitable occasions, flowed from his lips and adorned his writings, by apt and felicitous quotations from the Ancient Classics.—Nor was he more remarkable for the extent of his erudition, than for the amiable and benevolent qualities of his heart. He possessed a suavity of manners, which all who associated with him, felt and acknowledged. No one ever made an appeal to his sympathy, but he entered into their feelings—to his advice, but he cordially gave it—to his charity, but his hand was open to their relief.—*Register*, Feb. 3.

#### THE MARKETS.

Fayetteville, Jan. 29.

Cotton 8 a 3½; bagging 20 a 24; bacon, 6 a 8; corn 35 a 40; coffee 16 a 16½; flour 57 5 a 7; flaxseed 90; iron 50 6 50; lard 7 a 7½; molasses 37 a 40; nails 9; oats 22 a 25; sugar, common, 10½ a 11 prime 11 a 12; salt; wheat 1 30 a 1 36; whiskey 25 a 30.

Columbia, Jan. 31.

Cotton, 8½ a 9 ½; Bagging, 21 a 25; Bacon, lb. 7 a 8; Bale Rope, lb. 14 a 16; Coffee, lb. 17 a 20; Corn, bushel, 43 a 45; Iron Bar, 5 a 6½; Molasses, 45 a 50; Salt, Liverpool, 75 a 87½; Sugar, 10 a 12½; Flour 5 a 6.

Charleston, Jan. 28.

Cotton, 8 a 9½; Bagging, 23 a 25; Rope, 10 a 12; Coffee, 17 a 19; Sugar, 10 a 12; Salt; 80; Bacon, 8 a 10; Corn, 40; Flour 4½ a 5; Whiskey, 35 a 37½; Molasses, 45. Flax Seed, 70; Oats, 20.

North-C

## VARIETY.

Mixing together profit and delight.

From the London Literary Magnet.

THE PHANTOM HAND.  
I see a hand you cannot see,  
Which beckons me away!

In a lonely part of the bleak and rocky coast of Scotland, there dwelt a being, who was designated by the few who knew and feared him, the Warlock Fisher. He was, in truth, a singular and a fearful old man. For years he had followed his dangerous occupation alone; adventuring forth in weather which appalled the stoutest of the stout hearts that occasionally exchanged a word with him, in passing to and fro in their mutual employment. Of his name, birth, or descent, nothing was known; but the fecundity of conjecture had supplied an unfailing stock of materials on these points. Some said he was the devil incarnate; others said he was a Dutchman, or some other "far away foreigner," who had fled to these comparative solitudes for a shelter, from the retribution due to some grievous crime; and all agreed that he was neither a Scot nor true man. In outward form, however, he was still "a model of man," tall, and well made; though in years, his natural strength was far from being abated. His matted black hair, hanging in elf-locks about his ears and shoulders, together with the perpetual sullenness which seemed native in the expression of features neither regular nor pleasing, gave him an appearance undeniably disgusting. He lived alone, in a hovel of his own construction, partially scooped out of a rock—was never known to have suffered a visitor within its walls—to have spoken a kind word, or done a kind action. Once, indeed, he performed an act which, in a less ominous being, would have been lauded as the extreme of heroism. In a dreadfully stormy morning, a fishing-boat was seen in great distress, making for the shore—there was a father and two sons in it. The danger became imminent, as they neared the rocky promontory of the fisher—and the boat upset. Women and boys were screaming and gesticulating from the beach, in all the wild and useless energy of despair, but assistance was no where to be seen. The father and one of the lads disappeared for ever; but the young boy clung, with extraordinary resolution, to the inverted vessel. By accident the Warlock Fisher came to the door of his hovel, saw the drowning lad, and plunged instantaneously into the sea. For some minutes he was invisible amid the angry turmoil; but he swam like an inhabitant of that fearful element, and bore the boy in safety to the beach. From fatigue or fear, or the effects of both united, the poor lad died shortly afterwards, and his grateful relatives industriously insisted, that he had been blighted in the grasp of his unhallowed rescuer!

Towards the end of autumn, the weather frequently becomes so broken and stormy in these parts, as to render the sustenance derived from fishing extremely precarious. Against this, however, the Warlock Fisher was provided; for, caring little for weather, and apparently less for life, he went out in all seasons, and was known to be absent for days, during the most violent storms, when every hope of seeing him again was lost. Still nothing harmed him; he came drifting back again, the same wayward, unfearing, unhallowed animal. To account for this, it was understood that he was in conjunction with smugglers; that his days of absence were spent in their service—in reconnoitering for their safety, and assisting their predations. Whatever of truth there might be in this, it was well known that the Warlock Fisher never wanted ardent spirits; and so free was he in their use and of tobacco, that he has been heard, in a long winter's evening, carolling songs in a strange tongue, with all the fervor of an inspired bacchanal. It has been said, too, at such times he held strange talk with some who never answered, deprecated signs which no one else could see, and exhibited the fury of an outrageous maniac.

It was towards the close of an autumn day, that a tall young man was seen surveying the barren rocks, and apparently deserted shores, near the dwelling of the fisher. He wore the inquiring aspect of a stranger, and yet his step indicated a previous acquaintance with the scene. The sun was flinging his boldest radiance on the rolling ocean, as the youth ascended the rugged path which led to the Warlock Fisher's hut. He surveyed the door for a moment, as if to be certain of the spot; and then, with one stroke of his foot, dashed the door inward. It was damp and tenantless. The stranger set down his bundle,

kindled a fire, and remained in quiet possession. In a few hours the fisher returned. He started involuntarily at the sight of the intruder, who sprang to his feet, ready for any alternative.

"What seek you in my hut?" said the Fisher.

"A shelter for the night—the hawks are out."

"Who directed you to me?"

"Old acquaintance!"

"Never saw you with my eyes—shiver me! But never mind, you look like the breed—a ready hand and a light heel, ha! All's right—top your keg!"

No sooner said than done. The keg was broached, and good brown basin of double hollands was brimming at the lips of the Warlock Fisher. The stranger did himself a similar service, and they grew friendly. The Fisher could not avoid placing his hand before his eyes once or twice, as if wishful to avoid the keen gaze of the stranger, who still plied the fire with fuel and his host with hollands. Reserve was at length annihilated, and the Fisher jocularly said—

"Well, and so we're old acquaintance, ha!"

"Ay," said the young man, with another searching glance. "I was in doubt first, but now I'm certain."

"And what's to be done?" said the Fisher.

"An hour after midnight you must put me on board—'s boat; she'll be abroad. They'll run a light to the mast head, for which you'll steer.—You're a good hand at the helm in a dark and rough seat," was the reply.

"How, if I will not?"

"Then—your life or mine!"

They sprang to their feet simultaneously, and an immediate encounter seemed inevitable.

"Pshaw!" said the Fisher, sinking on his seat, "what madness this is! I was a thought warm with the liquor, and the recollections of past times were rising on my memory. Think nothing of it, I heard those words once before," and he ground his teeth in rage. "Yes, once; but in a shriller voice than yours! Sometimes, too, the bastard rises to my view; and then I smite him so—bah! give us another basin full!" He stuck short at vacancy, snatched the beverage from the stranger, and drank it off. "An hour after midnight, said ye?"

"Ay—you'll see no bastards then."

"Worse—may be—worse!" muttered the Fisher, sinking into abstraction, and glaring wildly on the flickering embers before him.

"Why, how's this!" said the stranger. "Are your senses playing bo-peep with the ghost of some pigeon-livered coast captain, eh? Come, take another pull at the keg, to clear your head lights, and tell us a bit of your ditty."

The Fisher took another draught, and proceeded—

"About five-and-twenty years ago, a stranger came to this hut—may the curse of God annihilate him!"

"Amen to that," said the young man.

"He brought with him a boy and a girl, a purse of gold, and—the arch fiend's tongue, to tempt me! well, it was to take these children out to sea—upset the boat—and lose them!"

"And you did so," interrupted the stranger.

"I tried—but listen. On a fine evening, I took them out: the sun sank rapidly, and I knew by the freshening of the breeze, there would be a storm. I was not mistaken. It came on even faster than I wished. The children were alarmed—the boy, in particular, grew suspicious; he insisted that I had an object in going out so far at sunset. This irritated me, and I rose up to smite him, when the fair girl interposed her form between us. She screamed for mercy, and clung to my arm with the desperation of despair. I could not shake her off! The boy had the spirit of a man; he seized a piece of spar, and struck me on the temples. "How, you villain!" said he, "your life or mine!" At that moment the boat upset, and we were all adrift. The boy I never saw again—a tremendous sea broke between us—but the wretched girl clung to me like hate!—Damnation!—her dying scream is ringing in my ears like madness! I struck her on the forehead, and she sank—all but her hand, one little white hand would not sink! I threw myself on my back, and struck at it with both my feet—and then I thought it sunk forever. I made the shore with difficulty, for I was stunned and senseless, and the ocean oozed as if it would have washed away the mortal world—and the lightnings blazed as if all hell had come to light the scene of warfare! I have never since been on the sea at midnight, but that hand has followed or preceded me. I have never

"Here he sank down from his seat, and rolled himself in agony upon the floor.

"Poor wretch!" muttered the stranger, "what hinders now my long sought vengeance? Even with my foot—but thou shalt share my murdered sister's grave!"

"A shot is fired—look out for the light," said the young man.

The Fisher went to the door; but suddenly started back, clasping his hands before his face.

"Fire and brimstone! there it is again!" he cried.

"What?" said his companion looking coolly round him.

"That infernal hand! Lightnings blast it! but that's impossible," he added, in a fearful undertone, which sounded as if some of the eternal rocks around him were adding a response to his imprecations—that's impossible! It is a part of them—it has been so for years—darkness could not shroud it—distance could not separate it from my burning eye-balls!—awake, it was there—asleep, it flickered and blazed before me! it has been my rock a-head through life, and it will herald me to hell!" So saying, he pressed his sinewy hands upon his face, buried his head between his knees, till the rock beneath him seemed to shake with his uncontrollable agony.

"Again it beckons me!" said he, starting up; "ten thousand fires are blazing in my heart—in my brain! where, where can I be worse? Fiend, I defy thee!"

"I see nothing," said his companion, with unalterable composure.

"You see nothing!" thundered the Fisher, with mingling sarcasm and fury; "look there!" He snatched his hand, and pointing steadily into the gloom, again murmured, "Look there! look there!"

At that moment the lightning blazed around with appalling brilliancy; and the stranger saw a small white hand pointing tremulously upwards.

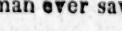
"I saw it there," said he, "but it is not hers! Infatuated, abandoned villain!" he continued, with irrepressible energy, "it is not my sister's hand—no! it is the incarnate fiend's who tempted you to perdition—begone together!"

He aimed a dreadful blow at the astonished Fisher, who instinctively avoided the stroke. Mutually wound up to the highest pitch of anger, they grappled each other's throat, set their feet, and strained for the throw, which was inevitably to bury both in the wild waves beneath. A faint shriek was heard, and a gibbering, as of many voices, came fluttering around them. "Clatter on!" said the Fisher, "he joins you now!"

"Together—it will be together!" said the stranger, as with a last desperate effort he bent his adversary backward from the beetling cliff. The voice of the Fisher sounded hoarsely in execration, as they dashed into the sea together; but what he said was drowned in the hoarser murmur of the upashing surge! The body of the stranger was

found on the next morning, flung far up on the rocky shore—but that of the murderer was gone forever!

The superstitious peasantry of the neighbourhood still consider the spot as haunted; and at midnight, when the waves dash fitfully against the perilous crags, and the bleak winds sweep with long and angry moan around them, they still hear the gibbering voices of the fiends, and the mortal execrations of the Warlock Fisher!—but, after that fearful night, no man ever saw THE PHANTOM HAND!



*Motion of Animals.*—Animal motion is wonderful, though, from its perpetually meeting the eye, we take little account of it. The pholus (a shell-fish) has the power of perforating the hardest marble by means of a fleshy substance, apparently no way suited to so laborious an employment. It increases its cell as it increases its size; and constitutes perfect example of the first rudiments of animal motion. The only impulse an oyster possesses, arises out of its power of opening and shutting its shell. The muscles move by means of a muscular substance, resembling a tongue. The crab moves sideways, and the water fly swims upon its back. The serpent undulates, and the lion-ant moves backwards; it has no power to make the smallest inclination forward. Marine birds can walk, run, fly and swim. Some animals can only walk, others gallop; the horse performs all these motions. The Tiger and the crocodile dart; the reindeer runs but never gallops; the armadillo walks swiftly, but can neither run nor leap; while the great anteater climbs much better than it can walk. The sloth is a large animal, and yet can travel only fifty paces

in a day! an elk will run a mile and a half in 7 minutes; an antelope a mile a minute; the wild mule of Tartary has a speed even greater than that. An eagle can fly 18 leagues in an hour; and a Canary falcon can even reach 250 leagues in the short space of 16 hours. Man has the power of imitating almost every motion but that of flight. To effect these, he has, in maturity and health, 60 bones in his legs and thighs, 62 in his arms and hands, 60 in his head and 67 in his trunk. He has also 434 muscles in the structure of his body, and his heart has 3,840 pulsations in the space of an hour!

### Buck's Harmonies of Nature.

*Human Activity.*—A man trained to violent exercise from his childhood, is said to be capable of distancing the fleetest horses, and of continuing his course when they give up in weariness and exhaustion. His muscular power is immense, as we see daily proved by the weights raised with ease by common porters. However, the exertions of our noblest pedestrians give but a faint idea of the full power of a practised runner. The couriers of Persia used regularly to traverse 30 leagues in the space of 14 hours; and some natives of Africa are reported able to outstrip the lion. The savages of North America pursue the swiftest stags with such rapidity as to weary and overtake them. They have been known to travel over the most rugged and pathless mountains, a distance of 11 or 12 hundred leagues, in six weeks or two months.—*Wash. Chron.*

### From the Montreal Gazette.

*Discovery of a Wonderful Cave, near the Chaudiere Falls, Canada.*

—Among the interesting scenery which surrounds the above place, a curious cave has recently been discovered, which has excited the attention, of such as have visited it, and is reported as being well deserving the notice of the curious and scientific traveller. The opening to it is through a fissure of the rock, which appears to have been at one period a rent, but is now, from the upper place having fallen together, of the form of a Gothic arch. The entrance is low, only capable of admitting a person crawling on the hands and knees. After proceeding in this way for a short distance, the height of the opening, as well as its width, expands so as to admit of a person standing upright, and is nearly 8 feet in diameter. This forms what may be termed the first chamber. The sides and roof of this part is covered with beautiful stalactitical incrustations, which can be detached from the solid rock, which under them presents a smooth surface of the same appearance as the limestone rock about the Falls. From this first apartment there are several other openings branching off in various directions, and which in all probability lead to other caverns. The whole appears to have been excavated by some convulsion of nature, and at one period the course of water.

Our informant, not being provided with the necessary implements, was not able to ascertain the exact dimensions, nor would his time permit of exploring this interesting object farther. It has been very appropriately denominated Cobb's Cave, from the name of a lady who first discovered it.

*Stop my paper!*—Every man must have some object whereon to vent his spleen—"energetic bile" must have its way or one gets the jaundice. We once knew a man who, as often as he was kicked and cuffed by the world, was sure to flog his wife and children, by way of balancing the account. Another had his nose pulled in a ball room, and instantly he posted off to his lodgings and caned his negro. Lord Byron used to swear when any thing went wrong with him:—that old bear, doctor Johnson, swallowed oceans of tea, and the impetuous Alfieri mounted a wild horse. Every one to his taste, and in this country the taste is for a man to do—his newspaper incontinently, when he becomes bilious. Let us take a few examples.

A man wakes up with the tooth-ache, eats no breakfast, and goes off grumbling to his place of business. He takes up his newspaper—finds something in it not exactly in accordance with his own opinions, and instantly sends a note to the editors, instructions to stop his paper. He has his tooth pulled in the course of the day, feels the want of his paper the next morning, and puts his name anew to the subscription list.—"Stop my paper!" bawls A. B., "you are opposed to the tariff and like a liberal man as I am, I will not listen to your arguments against it." "Stop my paper," shouts C. D., "you are a confounded Turk, and I'll have nothing to do with

you."—"Stop my paper," cries E. F., "you refused to insert a puff for my newly invented trap." "Stop my paper," roars G. H. "you have dared to express an opinion of your own, when you knew that I thought differently." "Stop my paper," exclaims I. J. "I cannot make a tool of you, and you will not do for me;" and so on till you come to Y. Z. Magnanimous mortals, what fine editors you would make!

N. Y. Courier.

*Woman.*—The modest virgin, the prudent wife, or the careful matron are much more serviceable in life, than petticoated philosophers, blustering heroines, or virago queens. She who makes her husband, and her children happy, who reclaims the one from vice, and trains up the other to virtue, is a much greater character, than ladies described in romance, whose whole occupation is to murder mankind with shafts from their quiver, or their eyes. Women are not formed for great cares themselves, but to soften ours. Their tenderness is the proper reward for the dangers we undergo for their preservation; and the ease and cheerfulness of their conversation, our desirable retreat from the fatigues of intense application. They are confined within the narrow limits of domestic assiduity, and when they stay beyond them, they move out of their proper sphere, and are consequently without grace.

### THE SKATER'S SONG.

Away, away our fires stream bright,  
Along the frozen river,  
And their arroyo sparkles of brilliant light  
On the forest branches quiver.  
Away, away, for the stars are forth,  
And on the pure snows of the valley,  
In a giddy trance the moonbeams dance—  
Come, let our comrades rally.  
Away, away o'er the sheeted ice,  
Away, away we go;

On our steel bound feet we move as fleet,  
As the deer o'er the Lapland snow.

What though the sharp north winds are out,  
The skater heeds them not;

Midst the laugh and shout of the joyous rout  
Gay Winter is forgot.

'Tis a pleasant sight, that joyous throng  
In the light of the reddening flame,

While with many a wheel on the ringing steel,

They wage their riotous game;

And though the night air cutteth keen,  
And the white moon shineth coldly,

Their home hath been on the hill I ween,

They should breast the strong blast boldly.

Let others choose more gentle sports,  
By the side of winter's hearth,

Or to the ball or festival,

Seek for their share of mirth;

But as for me, away, away,

Where the merry skaters be,

[glows,

Where the fresh wind blows and the smooth ice

There is the place for me.

### A Test of the Divinity of the Bible.

In early youth, the writer of this article was witness of a scene illustrative of these remarks, and which made too deep an impression on his memory ever to be forgotten. I happened to be in a room where a pious woman was reading her Bible. An infidel of some intelligence, much art, and more assurance, came into the room. He immediately commenced a conversation with the woman and professed to wonder that she was so foolish as to read and believe the book she had in her hand. The woman attempted to justify herself, and to prove that the Holy Scriptures were of Divine origin. But she could not maintain her ground against her antagonist. The arguments of Paley, and Lardner, and others, which prove the Divinity of the sacred writings, she could not wield—she did not know them. How could she? being plain woman of little learning, little reading and intelligence. But he, on the other hand, had long held an unholy communion with the works of Paine, and others, which prove the Divinity of the sacred writings, she could not wield—she did not know them. How could she? being plain woman of little learning, little reading and intelligence. But he, on the other hand, had long held an unholy communion with the works of Paine, and others, which prove the Divinity of the sacred writings, she could not wield—she did not know them. How could she? being plain woman of little learning, little reading and intelligence. But he, on the other hand, had long held an unholy communion with the works of Paine, and others, which prove the Divinity of the sacred writings, she could not wield—she did not know them. How could she? being plain woman of little learning, little reading and intelligence. But he, on the other hand, had long held an unholy communion with the works of Paine, and others, which prove the Divinity of the sacred writings, she could not wield—she did not know them. How could she? being plain woman of little learning, little reading and intelligence. But he, on the other hand, had long held an unholy communion with the works of Paine, and others, which prove the Divinity of the sacred writings, she could not